

## **EMERGENCY MANAGEMENT**

The handling, transportation, treatment, and disposal of solid waste, hazardous waste, medical waste, and recyclable materials are subject to comprehensive regulatory standards in New Jersey, including emergency preparedness and prevention procedures for regulated entities. The State's emergency prevention and preparedness regulations are designed to address day-to-day emergencies which may occur at facilities, for example fires or materials spills. The Department recognizes, however, that certain emergency circumstances, such as natural disasters (i.e., floods, severe storms), and technological disasters (hazardous materials incidents, acts of terrorism), may not be sufficiently addressed by these standards. Such emergencies generate immense quantities of material, which must be safely and timely handled. Depending on the circumstances of the emergency, therefore, the Department has found it advantageous to temporarily relax some of its regulatory requirements to quickly and safely address environmental and health concerns. The Department is able to do this through the emergency powers granted to it under the Solid Waste Management Act (N.J.S.A. 13:1E-1 et seq.) and the Solid Waste Utility Control Act (N.J.S.A. 48:13A-1 et seq.) upon the declaration of a state of emergency by the Governor's office.

In New Jersey, however, the Governor has the overall responsibility for Emergency Management activities. On behalf of the Governor, all activities and departments are coordinated, directed and controlled from the State Office of Emergency Management (OEM), Emergency Operations Center, located in the New Jersey State Police Headquarters building. OEM is responsible for planning, directing and coordinating emergency operations within the state which are beyond local control. When an emergency situation occurs that involves the disposition of waste or recyclable materials, the Department works closely with the OEM, local, state, and other federal agencies (such as the United States Environmental Protection Agency and the Federal Emergency Management Agency), to determine the nature of the emergency and the level to which regulatory standards can be relaxed to facilitate material cleanup, yet ensure that public health, safety, and the environment are protected.

To this end, the Department has developed generic guidance on the handling, transportation, treatment, and disposal of materials expected to be generated during natural or man-made emergency situations. Such guidance addresses emergency storage of materials, pricing, and enforcement issues, and provides a list of additional assistance and contacts. During the Department's response to an emergency, this generic guidance is tailored for the emergency, and implemented on a case by case, or industry-wide basis as the situation warrants. (For example, the Department provided specific asbestos handling guidance for asbestos contaminated material from the World Trade Center disaster of September 11, 2001.) Depending on the circumstances, the Department may need to suspend county waste flows, especially if necessary to open impacted transportation arteries. Guidance documents that are issued are typically effective immediately and valid until such time as the Department officially rescinds them.

In addition to developing and refining such "off the shelf" guidance, the terrorist attack on New York City has necessitated the re-evaluation of the Department's emergency preparedness plans addressing situations which cause the closure of the agency for various periods of time. The Department has reassessed what functions are critical functions that must be continued during these interruptions. The Department has also developing a five tiered Threat Advisory System to address emergency preparedness procedures and actions the Department must take during times of no discernable terrorist activity up through times of imminent attack against a known target or when an attack has occurred. Through this exercise, the Department will further define and develop its emergency communications, personnel needs, emergency guidance documents, and authority delegation procedures. Lastly, the Department maintains a 24 hour Environmental Incident Hotline to receive reports of environmental incidents affecting the State. Reports to this hotline are disseminated to appropriate Department personnel for investigation and response.